

SECOND REGULAR SESSION

# SENATE BILL NO. 1020

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR VOGEL.

Read 1st time February 7, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

5041S.02I

## AN ACT

To amend chapter 414, RSMo, by adding thereto one new section relating to requirements for installers and manufacturers of fuel storage tanks.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 414, RSMo, is amended by adding thereto one new  
2 section, to be known as section 414.035, to read as follows:

**414.035. 1. Any person who manufacturers an aboveground or  
2 underground fuel storage tank for use in this state, or piping for such  
3 tank, or who installs or repairs such tanks or piping in this state, shall  
4 maintain evidence of financial responsibility in an amount equal to or  
5 greater than one million dollars per occurrence and two million dollars  
6 annual aggregate for the costs of corrective action directly related to  
7 releases caused by improper manufacture, installation, or repair of such  
8 tank or piping.**

9 **2. The requirement set forth in subsection 1 of this section shall  
10 not apply to the installation or repairs of fuel tanks or piping by the  
11 owner or operator of such fuel tank or piping.**

12 **3. Evidence of financial responsibility shall be presented annually  
13 to the director of the department of agriculture.**

14 **4. The department of agriculture shall promulgate rules to  
15 implement the provisions of this section.**

16 **5. Any rule or portion of a rule, as that term is defined in section  
17 536.010, RSMo, that is created under the authority delegated in this  
18 section shall become effective only if it complies with and is subject to  
19 all of the provisions of chapter 536, RSMo, and, if applicable, section  
20 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
21 and if any of the powers vested with the general assembly pursuant to**

22 chapter 536, RSMo, to review, to delay the effective date, or to  
23 disapprove and annul a rule are subsequently held unconstitutional,  
24 then the grant of rulemaking authority and any rule proposed or  
25 adopted after August 28, 2006, shall be invalid and void.

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Bill

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